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May 20, 2020

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VIA ELECTRONIC AND FIRST CLASS MAIL

Department Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 02118

Mass. Dept. of
Telecommunications & Cable

RE: TRUCONNECT COMMUNICATIONS, INC.

Dear:

Enclosed please find the following documents for filing on behalf of our client,
Truconnect Communications, Inc.:

1. Application of Truconnect Communications, Inc. for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Massachusetts, with exhibits, and a check in the amount of \$100.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me at (401) 477-0023.

Respectfully,

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Enclosures

Petition of TruConnect Communications, Inc.
for Designation as an Eligible Telecommunications
Carrier in the Commonwealth of Massachusetts

Docket No. _____

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Mass. Dept. of
Telecommunications & Cable

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May 20, 2020

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TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	UNIVERSAL SERVICE OFFERING.....	3
	A. Company Overview	3
	B. Proposed Lifeline Offering	4
	C. Plan Enrollment	6
	D. Prevention of Waste, Fraud and Abuse.....	7
III.	THE DEPARTMENT HAS JURISDICTION TO DESIGNATE WIRELESS ETCS.....	9
	A. The ETC Designation Request Is Consistent with Department Precedent.....	10
IV.	TRUCONNECT SATISFIES THE REQUIREMENTS FOR ETC DESIGNATION	11
	A. TruConnect Will Provide Service Consistent With the FCC's Grant of Forbearance from Section 214's Facilities Requirements	11
	B. TruConnect Is a Common Carrier.....	12
	C. TruConnect Will Provide All Supported Services.....	12
	1. Voice Telephony Service.....	13
	2. Broadband Internet Access Services.....	14
	D. TruConnect Will Advertise the Availability of Supported Services	14
	E. TruConnect Requests Designation Throughout its Service Area	15
	F. Service Commitment Throughout the Proposed Designated Service Area.....	16
	G. Ability to Remain Functional in Emergency Situations	16
	H. Commitment to Consumer Protection and Service Quality.....	17
	I. TruConnect is Financially and Technically Capable.....	18
	J. TruConnect Will Comply with Certification and Verification Requirements.....	19
	K. TruConnect Will Comply with Reporting Requirements	19
	L. TruConnect Will Comply With Regulations Imposed By The Department.....	19
V.	DESIGNATION OF TRUCONNECT AS AN ETC WOULD PROMOTE THE PUBLIC INTEREST	19
	A. Advantages of TruConnect's Service Offering	20
	B. The Benefits of Competitive Choice.....	22
	C. Impact on the Universal Service Fund.....	23
VI.	CONCLUSION.....	24

TABLE OF EXHIBITS

	<u>Exhibit</u>
Certification	1
Proposed Lifeline Offering	2
FCC-Approved Compliance Plan	3
Coverage Area	4
Sample Advertisement	5
Key Management Bios	6

Petition of TruConnect Communications, Inc.
for Designation as an Eligible Telecommunications
Carrier in the Commonwealth of Massachusetts

Docket No. _____

I. INTRODUCTION

47 U.S.C. § 214(e)(2).

² 47 C.F.R. §§ 54.101-54.207.

³ Given that TruConnect only seeks support from the low-income program and does not seek any high-cost support, ETC certification requirements for the high-cost program are not applicable to the Company.

requirements outlined in the FCC's *Lifeline and Link Up Reform Order*⁴ and *Lifeline Modernization Order*⁵. Rapid grant of TruConnect's request, moreover, would advance the public interest because it would enable the Company to commence much needed Lifeline service to low-income Massachusetts residents as soon as possible, especially in the midst of the current national state of emergency. Accordingly, the Company respectfully requests that the Department expeditiously approve this Petition for ETC designation.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Petition should be addressed to:

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⁴ *In the Matter of Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) ("*Lifeline and Link Up Reform Order*").

⁵ *In the Matter of Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket No. 11-42, WC Docket No. 00-197, WC Docket No. 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (rel. Apr. 27, 2016) (hereinafter, "*Third Report and Order*" or "*Lifeline Modernization Order*").

II. UNIVERSAL SERVICE OFFERING

A. Company Overview

TruConnect is a Delaware corporation⁶ with its principal office located at 1149 S. Hill Street, Suite 400, Los Angeles, California 90015. TruConnect Communications, Inc., formerly Telscape Communications, Inc., is a subsidiary of TSC Acquisition Corporation (“TSC”). TSC also owns Sage Telecom Communications, LLC d/b/a TruConnect (“Sage d/b/a TruConnect”), formerly known as Sage Telecom, Inc. before a corporate restructuring in 2012, and the owners of TSC separately own TruConnect Mobile, LLC, which sells mobile hotspot devices and low-cost monthly data plans, as well as TruConnect Technologies, LLC, a mobile data analytics company that develops data intelligence products and services for wireless carriers, cable operators, and content providers.

TruConnect provides prepaid wireless telecommunications services to consumers by using the underlying wireless networks of facilities-based providers, primarily T-Mobile USA, Inc. (“T-Mobile”), and also Sprint Spectrum, L.P. (“Sprint”), and Verizon Wireless (“Verizon”), (collectively, “Underlying Carriers”) on a wholesale basis to offer nationwide service. TruConnect is currently designated and operating as a wireless ETC in California and the U.S. Virgin Islands, and Sage d/b/a TruConnect is designated and operating as a wireless ETC in Arizona, Arkansas, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New York, Ohio, Oklahoma, Pennsylvania, Puerto Rico, South Carolina, Texas, Utah, Washington, West Virginia and Wisconsin. The Company has applications for ETC designation pending with the state public utility commissions

⁶ TruConnect was organized in the State of Delaware on June 19, 2001 and is registered with the Secretary of the Commonwealth of Massachusetts to do business in Massachusetts as of May 11, 2020 (ID #001437453), *see* http://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSummary.aspx?sysvalue=ykyDOVQF28klpql.0b2c16l3AmW3LKn22oPWPM_hZ_JI-.

in Florida, New Jersey, Oregon and Rhode Island, and under Sage d/b/a TruConnect in Hawaii and New Mexico and with the FCC.

TruConnect's prepaid wireless services are affordable, easy to use, and attractive to low-income and lower-volume consumers, providing them with access to emergency services and a reliable means of communication that can be used both at home and while traveling to remain in touch with friends and family and for contacting prospective employers. TruConnect offers consumers simple and affordable prepaid calling plans, easy-to-use handsets and high-quality customer service. Given its pricing and marketing strategy and the demographics of its customers in other states, TruConnect anticipates that many of its customers will be from low-income backgrounds who have not previously enjoyed access to wireless service because of economic constraints, poor credit history, or sporadic employment. TruConnect does not conduct credit checks or require customers to enter into long-term service contracts as a prerequisite to obtaining wireless service.

By providing affordable wireless plans and quality customer service to consumers who are otherwise unable to afford them, or who were previously ignored by traditional carriers, TruConnect will expand the availability of wireless services to many more consumers, which is the principal reason for which Congress created the universal service program.

B. Proposed Lifeline Offering

TruConnect has the ability to provide all services supported by the universal service program, as detailed in Section 54.101(a) of the FCC's Rules (47 C.F.R. § 54.101(a)) throughout Massachusetts. TruConnect intends to be a leader in the prepaid marketplace by offering consumers exceptional value and competitive amounts of voice and broadband usage. The Company's Lifeline service offering will provide customers with the same features and

functionalities enjoyed by all other TruConnect prepaid customers, with one notable exception: TruConnect's prepaid Lifeline services will not require payment of an out-of-pocket fee by subscribers, but TruConnect will receive support from the Lifeline program as compensation for providing those services.

TruConnect commits that its Lifeline-supported voice services will meet or exceed the minimum service standards set forth in 47 C.F.R. § 54.408 (currently 1,000 minutes). TruConnect's Lifeline-supported broadband services will also meet the minimum service standards set forth in 47 C.F.R. § 54.408 for mobile broadband internet access services, including for service speed and data usage allowance, as such standards are updated going forward. The FCC issued an order increasing the minimum service standard for mobile broadband data effective December 1, 2019 from 2 gigabytes ("GB") to 3 GB.⁷ To the extent TruConnect provides devices for use with Lifeline-supported broadband service, such devices will meet the equipment requirements set forth in 47 C.F.R. § 54.408(f), and TruConnect will not impose an additional or separate tethering charge for mobile data usage below the minimum standard.

Attached hereto as Exhibit 2 is a summary table of the Company's proposed Lifeline service offering, showing that Lifeline customers will receive 1,000 voice minutes, unlimited text messages, and 3 GB of data per month at a net cost of \$0.00 after application of Lifeline support. TruConnect's service also includes proprietary software ("WeFi" app) that allows smartphone mobile customers to search for an open WiFi network and connect to it automatically in order to save on their carrier data usage, enabling their data allotment to last longer. Customers will also be able to purchase additional minutes or data as needed. In addition to wholly supported or

⁷ See *In the Matter of Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket Nos. 11-42, 09-197 and 10-90, Order, FCC 19-116 (rel. Nov. 19, 2019).

discounted wireless services, prepaid Lifeline customers will receive a free SIM card for use in their existing or purchased device as well as access to voice mail, caller I.D., call forwarding, 3-way calling, and call waiting features at no additional charge. Customers may use their minutes to place domestic long-distance calls at no additional charge and calls to the Company's customer service are free with no deduction of available minutes. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes.

The Company's Lifeline offering will allow feature-rich mobile connectivity for qualifying subscribers at no cost to the subscriber, without the burden of credit checks or service contracts. TruConnect's prepaid offering will be an attractive alternative for consumers who need the mobility, security, and convenience of a wireless phone, but who are concerned about usage charges or long-term contracts.

C. Plan Enrollment

The FCC has taken steps to further curb abuse in the Lifeline program by establishing the National Lifeline Eligibility Verifier ("National Verifier"), which transfers the responsibility of eligibility determination away from Lifeline providers.⁸ Customers interested in obtaining information on the Lifeline program will be directed to a toll-free telephone number and to the Company's website, which will contain information regarding the Company's Lifeline service plans, including a description of the Lifeline program and eligibility criteria. Customers must then apply directly through the National Verifier, which they may do online or by submitting all required documentation to the National Verifier by mail. Customers may download a copy of the application form from the Internet (either from the National Verifier's or Company's website) or request that a copy be mailed to them. The National Verifier has hard launched in Massachusetts,

⁸ See *Lifeline Modernization Order*, section III.C.

and thus the National Verifier is fully responsible for initial and annual eligibility determination in Massachusetts.⁹ Customers in Massachusetts can apply to the National Verifier through a service provider like TruConnect, or on their own by mail or online. TruConnect utilizes the standard Lifeline application/certification forms as required by FCC rules, and thus complies with the disclosure and information collection requirements in 47 C.F.R. § 54.410(d).¹⁰

D. Prevention of Waste, Fraud and Abuse

TruConnect recognizes the importance of safeguarding the USF and has implemented measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. TruConnect complies with the requirements of the National Lifeline Accountability Database (“NLAD”) and section 54.404 of the FCC’s rules. In Massachusetts, the National Verifier queries the NLAD for every enrollment to determine whether a prospective subscriber is currently receiving a Lifeline service from TruConnect or any other ETC, and whether anyone else living at the prospective subscriber’s residential address is currently receiving Lifeline service. In addition, Company personnel emphasize the “one Lifeline service per household” restriction in their direct sales contacts with potential customers.

Furthermore, TruConnect will rely on the National Verifier to determine initial and ongoing eligibility of Massachusetts Lifeline subscribers. TruConnect will also comply with the FCC’s *Fifth Report and Order*, which set forth reforms to strengthen the Lifeline program’s

⁹ See <https://www.usac.org/lifeline/eligibility/national-verifier/launches/>; see also <https://www.usac.org/lifeline/eligibility/customer-eligibility/state-eligibility-verification-processes/>.

¹⁰ FCC Wireline Competition Bureau Provides Guidance on Universal Forms for the Lifeline Program, WC Docket No. 11-42, Public Notice, “Wireline Competition Bureau Provides Guidance on Universal Forms for the Lifeline Program,” DA 18-161 (rel. Feb. 20, 2018). The standard application/certification forms are available on USAC’s website (See USAC, Lifeline Forms, <http://www.usac.org/li/tools/forms/default.aspx>).

enrollment, recertification, and reimbursement processes, once the rule changes set forth therein become effective.¹¹

Consistent with federal regulations, the Company will not seek USF reimbursement for new subscribers until they have personally activated the service, either by initiation and/or actual use of the service, and will de-enroll any subscriber that has not used the Company's Lifeline service as set forth in 47 C.F.R. § 54.407(c)(2). An account will be considered active if the authorized subscriber establishes usage, as "usage" is defined by 47 C.F.R. § 54.407(c)(2), during the specified timeframe, currently a period of thirty (30) days, or during the notice period set forth in 47 C.F.R. § 54.405(e)(3), currently a period of fifteen (15) days. In accordance with 47 C.F.R. § 54.405(e)(3), TruConnect will provide the subscriber advanced notice, using clear, easily understood language, that the subscriber's failure to use the Lifeline service within the notice period will result in service termination for non-usage. Customers that have been deactivated may participate in the Company's Lifeline service in the future by reapplying and re-establishing eligibility.

To further protect the integrity of the USF, TruConnect has developed its own auditing system to process and validate the Company's subsidy data to prevent: (1) Duplicate Same-Month Lifeline Subsidies (Double Dip): any name/address that is already receiving a lifeline subsidy from the Company will be automatically prevented from receiving a second lifeline subsidy in that same month; (2) Inactive lines receiving subsidy: system compare all subsidy requests to underlying

¹¹ *In the Matter of Bridging the Digital Divide for Low-Income Consumers, Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support*, WC Docket No. 17-287, WC Docket No. 11-42, WC Docket No. 09-197, Fifth Report and Order, Memorandum Opinion and Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 19-111 (rel. Nov. 14, 2019) (hereinafter, "*Fifth Report and Order*"). The order is effective January 27, 2020, except for section 54.406(b) [*"Prohibition of commissions for enrollment representatives"*], which is effective February 25, 2020, and section 54.406(a) [*"Enrollment representative registration"*], which is effective March 26, 2020. Revisions to Sections 54.404(b)(12) [*relating to not enrolling/claiming a subscriber unless they are verified to be alive*] and 54.410(f) [*changes to recertification*] are delayed and the FCC will publish a document announcing the effective date.

network status to ensure that subsidies are requested only for active lines; and (3) Subsidies for Deceased subscribers: Death Master search to ensure that subsidies are not requested for a deceased subscriber. Through the processes described above, TruConnect ensures that it does not over-request from support funds.

III. THE DEPARTMENT HAS JURISDICTION TO DESIGNATE WIRELESS ETCs

Section 214(e)(2) of the Act provides state public utility commissions with the “primary responsibility” for the designation of ETCs.¹² Although Section 332(c)(3)(A) of the Act prohibits states from regulating the entry of or the rates charged by any provider of commercial mobile service or any private mobile service, this prohibition does not allow states to deny wireless carriers ETC status.¹³ Therefore, the Department has the authority to designate TruConnect as an ETC. Pursuant to this authority, the Department has historically participated in determining whether to grant ETC status to an applying carrier, including any requesting wireless carrier.¹⁴ Under the Act, a state public utility commission with jurisdictional authority over ETC designations must designate a common carrier as an ETC if the carrier satisfies the requirements of Section 214(e)(1). TruConnect recognizes that Section 214(e)(1)(A) of the Act states that ETCs shall offer services, at least in part, over their own facilities and that Section 54.201(i) of the FCC’s Rules (47 C.F.R. § 54.201(i)) prohibits state commissions from designating as an ETC a telecommunications carrier that offers services exclusively through the resale of another carrier’s services. However, the FCC has granted forbearance from enforcement of this facilities requirement to carriers seeking

¹² 47 U.S.C. § 214(e)(2).

¹³ See *Federal-State Joint Board on Universal Service, First Report and Order*, 12 FCC Rcd 8776, 8858-59, ¶ 145 (1997) (“USF Order”).

¹⁴ See e.g., *Petition of Global Connection Inc. of America d/b/a STAND UP WIRELESS for Designation as an Eligible Telecommunications Carrier*, D.T.C. 11-11, Order Approving Petition (March 5, 2013) (“Global Connection ETC Order”).

Lifeline-only ETC designation.¹⁵ Section 10(e) of the Act (47 U.S.C. § 160(e)) provides: “[a] State commission may not continue to apply or enforce any provision of this chapter that the [Federal Communications] Commission has determined to forbear from applying under subsection (a) of this section.” As such, the Department is required by Section 10(e) to act in accordance with the FCC’s grant of forbearance, and therefore, may not apply the facilities-based requirement to TruConnect. Therefore, the Department has the authority under Section 214(e)(2) of the Act to grant TruConnect’s request for designation as an ETC throughout the Commonwealth of Massachusetts.

A. The ETC Designation Request Is Consistent with Department Precedent

TruConnect’s request for ETC designation to participate in the Lifeline program is consistent with the Department’s designation of Global Connection as an ETC.¹⁶ In its decision, the Department determined that the designation of a prepaid wireless carrier as an ETC would serve the public interest. TruConnect requests that the Department expeditiously process its ETC Petition so that it can quickly commence providing qualifying low-income Massachusetts customers with affordable USF-supported wireless services during these challenging economic times for all state residents. Designation of TruConnect as an ETC would further competition for wireless Lifeline service and would offer eligible consumers an additional choice of providers for accessing telecommunications services, representing a significant step towards ensuring that all low-income consumers share in the many benefits associated with access to wireless services.

¹⁵ See *Lifeline and Link Up Reform Order* at ¶ 368.

¹⁶ See *Global Connection ETC Order*.

IV. TRUCONNECT SATISFIES THE REQUIREMENTS FOR ETC DESIGNATION

Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.” Section 214(e)(2) of the Act authorizes state commissions, such as the Department, to designate ETC status for federal universal service purposes and authorizes the Department to designate wireless ETCs.¹⁷ Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules provide that applicants for ETC designation must be common carriers that will offer all of the services supported by universal service, either using their own facilities or a combination of their own facilities and the resale of another carrier’s services, except where the FCC has forbore from the “own facilities” requirement. Applicants also must commit to advertise the availability and rates of such services¹⁸ and provide additional information set forth in 47 C.F.R. § 54.202(a). As detailed below, TruConnect satisfies each of the above-listed requirements. TruConnect further commits to comply with the Department’s Lifeline Requirements.¹⁹

A. TruConnect Will Provide Service Consistent with the FCC’s Grant of Forbearance from Section 214’s Facilities Requirements

Although Section 214 requires ETCs to provide services using their facilities, at least in part, the FCC has forbore from that requirement with respect to carriers such as TruConnect. In the *Lifeline and Link Up Reform Order*, the FCC granted forbearance from the “own-facilities” requirement contained in Section 214(e)(1)(A) for carriers that are, or seek to become, Lifeline-only ETCs, subject to the following conditions:²⁰

¹⁷ *USF Order*, at 8858-59, ¶ 145.

¹⁸ See 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d)(2).

¹⁹ See *Investigation by the Department on its Own Motion into the Implementation in Massachusetts of the Federal Communications Commission’s Order Reforming the Lifeline Program*, D.T.C. 13-4, *Order Implementing Requirements* (Aug. 1, 2014), Appendix A (the “MA ETC Requirements”).

²⁰ See *Lifeline and Link Up Reform Order* at ¶¶ 368, 373 and 379.

(1) the carrier must comply with certain 911 requirements [(a) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; (b) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services; and (c) complying with conditions (a) and (b) starting on the effective date of this Order]; and

(2) the carrier must file, and the Bureau must approve, a compliance plan providing specific information regarding the carrier's service offerings and outlining the measures the carrier will take to implement the obligations contained in this Order as well as further safeguards against waste, fraud and abuse the Bureau may deem necessary."

In accordance with the *Lifeline and Link Up Reform Order*, TruConnect filed its Compliance Plan which the FCC approved on December 26, 2012.²¹ A copy of its FCC-Approved Compliance Plan is attached hereto as Exhibit 3. TruConnect commits to providing Lifeline service in Massachusetts in accordance with its FCC-approved Compliance Plan and in compliance with applicable state and federal regulations, to the extent amendments thereto may supersede commitments made in the Compliance Plan.

B. TruConnect Is a Common Carrier

TruConnect is a resale-based Commercial Mobile Radio Service ("CMRS") provider and is thus a common carrier.²²

C. TruConnect Will Provide All Supported Services

Through its Underlying Carriers, TruConnect is able to provide all of the supported services required by Section 54.101(a) of the FCC's Rules (47 C.F.R. § 54.101(a)) as follows:

²¹ See FCC Public Notice DA 12-2063, https://apps.fcc.gov/edocs_public/attachmatch/DA-12-2063A1_Red.pdf.

²² *In the Matter of Implementation of Sections 3(n) and 332 of the Communications Act, Regulatory Treatment of Mobile Services*, GN Docket No. 93-252, Second Report and Order, 9 FCC Rcd 1411, 1425 ¶ 37, 1454-55 ¶ 102 (1994) (wireless resellers are included in the statutory "mobile services" category, and providers of cellular service are common carriers and CMRS providers); 47 U.S.C. § 332(c)(1)(A) ("mobile services" providers are common carriers); see also *PCIA Petition for Forbearance for Broadband PCS*, WT Docket No. 98-100, (Memorandum Opinion and Order and Notice of Proposed Rulemaking, 13 FCC Rcd 16857, 16911 ¶ 111 (1998) ("We concluded [in the *Second Report and Order*] that CMRS also includes the following common carrier services: cellular service, ... all mobile telephone services and resellers of such services.") (emphasis added).

1. Voice Telephony Services

As set forth in 47 C.F.R. § 54.101(a)(1), eligible Voice Telephony Services must provide the following:

Voice Grade Access to the Public Switched Telephone Network. TruConnect provides voice grade access to the public switched telephone network (“PSTN”) through the purchase of wholesale CMRS services from its facilities-based Underlying Carriers.

Local Usage At No Additional Charge. TruConnect offers rate plans that provide its customers with minutes of use for local and long distance service alike at no additional charge beyond the monthly plan rate (which is \$0 after Lifeline support).

Access to Emergency Services. TruConnect provides 911 and E911 access for all of its customers to the extent the local government in its service area has implemented 911 or E911 systems. As noted, calls to 911 emergency services will always be free and will be available regardless of service activation status or availability of minutes. TruConnect also complies with the FCC’s regulations governing the deployment and availability of E911 compatible handsets.

Toll Limitation. In its *Lifeline and Link Up Reform Order*, the FCC provided that toll limitation would no longer be deemed a supported service.²³ “ETCs are not required to offer toll limitation service to low-income consumers if the Lifeline offering provides a set amount of minutes that do not distinguish between toll and non-toll calls.”²⁴ Nonetheless, TruConnect’s offerings inherently allow Lifeline subscribers to control their usage, as its wireless service is offered on a prepaid, or pay-as-you-go, basis. TruConnect’s service, moreover, is not offered on a distance-sensitive basis and local and domestic long-distance minutes are treated the same.

²³ See *Lifeline and Link Up Reform Order* at ¶ 367.

²⁴ See *id.* at ¶ 49.

2. Broadband Internet Access Services

Broadband Internet access service (“BIAS”) is a supported service as of December 2, 2016. The FCC has stated that BIAS consists of the ability for a user to receive “the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up Internet access service.”²⁵ TruConnect provides BIAS to low-income consumers via resale of its Underlying Carriers’ mobile services.

D. TruConnect Will Advertise the Availability of Supported Services

TruConnect will advertise the availability and rates for the services described above using media of general distribution as required by 47 C.F.R. § 54.201(d)(2) of the FCC’s regulations. TruConnect’s advertising will comply with the requirements set forth in the *Lifeline and Link Up Reform Order*, as outlined in the TruConnect’s Compliance Plan.²⁶

The Company will advertise its services in a manner reasonably designed to reach those likely to qualify for Lifeline service, using mediums for outreach such as print advertisements, direct marketing, social media and the Internet. TruConnect will engage in advertising campaigns specifically targeted to reach those likely to qualify for Lifeline service, promoting the availability of cost-effective wireless services to this neglected consumer segment. TruConnect may also promote the availability of its Lifeline offering by distributing brochures at various state and local social service agencies, and may partner with nonprofit assistance organizations in order to inform customers of the availability of its Lifeline service.²⁷

²⁵ See 47 C.F.R. § 8.2(a).

²⁶ See Exhibit 3, section III.D.3. See also *Lifeline and Link Up Reform Order* at Section VII.F.

²⁷ See attached Exhibit 5 for a sample advertisement from another state; advertisements will be updated for use in Massachusetts upon ETC designation.

TruConnect will explain in clear, easily understood language the following disclosures in all marketing materials related to the supported service: (a) that the service is a Lifeline-supported service; (b) that only eligible consumers may enroll in the program; (c) what documentation is necessary for enrollment; and (d) that the benefit is limited to one per household consisting of either wireline or wireless service and is non-transferrable. TruConnect will also explain that Lifeline is a government benefit program and that willfully making false statements to obtain Lifeline benefits may be punished by fine or imprisonment or result in being barred from the program. Additionally, TruConnect will disclose the company name under which it does business and the details of its Lifeline service offerings in any Lifeline-related marketing and advertising.

E. TruConnect Requests Designation Throughout Its Service Area

TruConnect is not a rural telephone company as defined in Section 153(37) of the Act (47 U.S.C. § 153(37)). Accordingly, TruConnect is required to describe the geographic area(s) within which it requests designation as an ETC. TruConnect requests designation as an ETC for the entire Commonwealth of Massachusetts, subject to the existence of its Underlying Carriers' facilities and corresponding coverage. The list of current zip codes within coverage is attached hereto as Exhibit 4. TruConnect understands that its service area overlaps with rural carriers in Massachusetts, but maintains that the public interest factors described below justify its designation in these carriers' service areas, especially because it seeks ETC designation solely to utilize USF funding to provide Lifeline service to qualified low-income consumers.

Therefore, designation of TruConnect as an ETC will cause no growth in the high-cost portions of the USF and will not erode high-cost support from any rural telephone company. In fact, the FCC has determined that "[d]esignation of competitive ETCs promotes competition and benefits consumers in rural and high-cost areas by increasing customer choice, innovative services,

and new technologies.”²⁸ While the federal rules (47 U.S.C. §§ 160, 214(e)(5) and 47 C.F.R. § 54.207(b)) require that the service area of an ETC conform to the service area of any rural telephone company serving the same area (the “service area conformance” requirement), the FCC’s *Lifeline and Link Up Reform Memorandum Opinion and Order* (FCC 13-44 released April 15, 2013) authorized forbearance from the service area conformance requirements with respect to carriers seeking to provide Lifeline-only service.²⁹ In light of this forbearance, the Department has the authority to designate ETCs such as TruConnect in rural areas without concern for the service area conformance requirement.³⁰

F. Service Commitment Throughout the Proposed Designated Service Area

TruConnect will provide service in Massachusetts by reselling service which it obtains from its Underlying Carriers. These provider’s networks are operational and largely built out. Thus, TruConnect will be able to commence offering its Lifeline service to all locations served by its Underlying Carriers very soon after receiving approval from the Department. In accordance with 47 C.F.R. § 54.202(a)(1)(i), and by the attached certification, TruConnect commits to comply with the service requirements applicable to the support that it receives. Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), a common carrier seeking designation as a Lifeline-only ETC is not required to submit a five-year network improvement plan as part of its application for designation as an ETC.³¹

G. Ability to Remain Functional in Emergency Situations

In accordance with 47 CFR §54.202(a)(2), TruConnect has the ability to remain functional

²⁸ See *Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, *Memorandum Opinion and Order*, 16 FCC Rcd 48, 55 (2000).

²⁹ See *In the Matter of Telecommunications Carriers Eligible for Support, Lifeline and Link Up Reform*, WC Docket No. 09-197, WC Docket No. 11-42, *Memorandum Opinion and Order*, FCC 13-44 (rel. April 15, 2013).

³⁰ See 47 C.F.R. § 54.207(c).

³¹ See also *Lifeline and Link Up Reform Order* at ¶ 386.

in emergency situations. As discussed, TruConnect will utilize the extensive and well-established T-Mobile, Sprint, and/or Verizon networks and facilities to provide its Lifeline services. The Company understands that the Underlying Carriers' networks have access to a reasonable amount of back-up power to ensure functionality without an external power source, are able to reroute traffic around damaged facilities, and are capable of managing traffic spikes resulting from emergency situations. Indeed, these Underlying Carriers have repeatedly certified to the FCC that their networks function in emergency situations.³² The Underlying Carriers provide the same functionality to TruConnect and its customers as these carriers provide to themselves and their own customers.

H. Commitment to Consumer Protection and Service Quality

Under FCC guidelines, an ETC applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards³³ and wireless applicants may also satisfy this requirement by complying with the Cellular Telecommunications and Internet Association's ("CTIA") Consumer Code for Wireless Service. TruConnect hereby commits to complying with the CTIA Consumer Code for Wireless Service.

TruConnect further commits to comply with the consumer safeguards set forth in the MA ETC Requirements, namely: (a) to work in good faith with Department staff to resolve Lifeline subscriber disputes, (b) to include information about the availability of the Department's Consumer Division for handling Lifeline complaints on the Company's website and in its Lifeline terms and conditions, and (c) to provide the Department's Consumer Division contact information

³² See, e.g., *Sprint Nextel Corporation Verified Filing in Compliance with 47 C.F.R. § 54.209*, CC Docket No. 96-45, at 6 (filed Sept. 30, 2011); *In the Matter of Telecommunications Carriers Eligible for Universal Service Support, Petition of T-Mobile USA, Inc. for Designation as a Low-Income Eligible Telecommunications Carrier, et al.*, WC Docket No. 09-197, at 20 (released Aug. 16, 2012).

³³ See 47 C.F.R. § 54.202(a)(3).

on the Company's website, printed Lifeline marketing materials, initial sales receipts for Lifeline service, and Lifeline terms and conditions, as well as during the Lifeline application process (excluding applications made through the National Verifier). In addition, in the event the Company were to discontinue offering Lifeline service in Massachusetts, TruConnect agrees to notify its Lifeline subscribers and the Department 60 days in advance of such discontinuance and to work in good faith to facilitate smooth transition to alternative ETCs of the subscribers choice.

I. TruConnect is Financially and Technically Capable

In accordance with 47 C.F.R. § 54.202(a)(4), TruConnect is financially and technically capable of providing Lifeline-supported services. The Company has been offering telecommunications service since 1998 and began providing non-Lifeline wireless service in October 2012 and Lifeline-supported wireless service in May 2013. TruConnect, in combination with its affiliate Sage d/b/a TruConnect, already successfully provides wireless services nationwide, including Lifeline services in thirty-one (31) jurisdictions. TruConnect has not been subject to enforcement actions and has not been subject to ETC revocation proceedings. The Company has operated as a telecommunications carrier for twenty years and has never had to file for bankruptcy protection, and is supported by the resources of its parent, TSC. TruConnect does not, and does not intend to, offer exclusively Lifeline-supported services—and is therefore not exclusively dependent on USAC for its revenue. The result of TruConnect's efforts is that it is fully capable of honoring all its service obligations to customers and regulatory obligations to state and federal regulators. Furthermore, the senior management of TruConnect has great depth in the telecommunications industry and offers extensive telecommunications business technical and

managerial expertise to the Company.³⁴ TruConnect will be providing resold wireless service, and therefore will also rely upon the managerial and technical expertise of its Underlying Carriers.

J. TruConnect Will Comply with Certification and Verification Requirements

As mentioned above, TruConnect will rely on the National Verifier for initial and annual verification of Lifeline eligibility in accordance with Section 54.410 of the FCC's Rules.

K. TruConnect Will Comply With Reporting Requirements

TruConnect will provide the Department a copy of its annual certifications and Lifeline recertification results pursuant to 47 C.F.R. § 54.416 (i.e. FCC Form 555), as well as a copy of its annual report filed pursuant to 47 C.F.R. § 54.422 (i.e. FCC Form 481), and will comply with applicable Department reporting requirements for Lifeline ETCs, namely those set forth in section A of the MA ETC Requirements.

L. TruConnect Will Comply With Regulations Imposed By The Department

By this Petition, TruConnect hereby asserts its willingness and ability to comply with the rules and regulations that the Department may lawfully impose upon the Company's provision of service contemplated by this Petition. Upon Department request, TruConnect is prepared to answer questions or present additional testimony or other evidence about its services within the state. TruConnect is prepared to comply with the Massachusetts State 911 Department's surcharge collection regulations pertaining to prepaid wireless providers.

V. DESIGNATION OF TRUCONNECT AS AN ETC WOULD PROMOTE THE PUBLIC INTEREST

One of the principal goals of the Act, as amended by the Telecommunications Act of 1996, is "to secure lower prices and higher quality services for American telecommunications consumers

³⁴ See Exhibit 6 for key management bios.

and encourage the rapid deployment of new telecommunications technologies” to all citizens, regardless of geographic location or income.³⁵ Designation of TruConnect as an ETC in Massachusetts will further the public interest by providing Massachusetts consumers, especially low-income consumers, with low prices and high quality services. Many low-income customers in Massachusetts have yet to reap the full benefits of the intensely competitive wireless market. Whether because of financial constraints, poor credit history or intermittent employment, these consumers often lack the countless choices available to most consumers.

The instant request for ETC designation must be examined in light of the Act’s goal of providing low-income consumers with access to telecommunications services. The primary purpose of universal service is to ensure that consumers—particularly low-income consumers—receive affordable and comparable telecommunications services. Given this context, designating TruConnect as an ETC would significantly benefit low-income consumers eligible for Lifeline service in the Commonwealth of Massachusetts—the intended beneficiaries of universal service.

A. Advantages of TruConnect’s Service Offering

The public interest benefits of TruConnect’s wireless service include larger local calling areas (as compared to traditional wireline carriers); the convenience, portability and security afforded by mobile telephone service; the opportunity for customers to control cost by receiving a preset amount of monthly airtime at no charge; the opportunity for customers to receive both the minimum service standards for voice *and* broadband usage within the same rate plan; the ability of users to use the supported service to send and receive unlimited “SMS” or text messages at no additional cost; the ability for customers to purchase additional usage at flexible and affordable amounts in the event that included usage has been exhausted (and the courtesy of free low-balance

³⁵ *Telecommunications Act of 1996*, Pub. L. No. 104-104, 110 Stat. 56.

alerts); unlimited international calling to Canada, Mexico, and China (first 10 unique numbers each month) at no additional cost, and the option to purchase additional international calling at affordable rates; the opportunity for customers to receive service without going through a credit check or deposit requirement, or committing to a long-term service contract; and access to 911 and E911 service in accordance with current FCC requirements.

Low-income individuals can greatly benefit from the advantages offered by the Company's Lifeline service, which provides access to wholly-supported wireless service to assist in emergency situations, facilitate job search efforts, and to maintain contact with family members. It is a commonly accepted fact that in today's market all consumers, including qualified Lifeline customers, view the portability and convenience of wireless service not as a luxury, but as a necessity. Mobile service allows children to reach their parents, wherever they may be, allows a person seeking employment the ability to be contacted by potential employers, and provides end users with the ability to contact emergency service providers, regardless of location. TruConnect's prepaid wireless service is likely to be an especially attractive option for low-income consumers because it alleviates customer concerns regarding hidden costs, varying monthly charges and long-term contract issues. Providing TruConnect with the authority necessary to offer discounted Lifeline service to those without—or most in danger of losing—wireless service undoubtedly promotes the public interest.

Moreover, TruConnect is pairing its existing Lifeline service with pursuing telehealth initiatives to better provide medical service for the low-income populations that it already serves. TruConnect has a telehealth pilot under review with the California public utilities commission and intends to submit a pilot proposal to the FCC. TruConnect's desire is to expand its telehealth program to other states. Given the current national state of emergency due to the novel coronavirus

(COVID-19), unprecedented actions have been taken to slow the spread of the virus; millions of Americans are having to work and school from home, and telehealth services have become essential for the safety of patients and providers alike. Unfortunately, millions of low-income Americans do not have access to affordable telecommunications services necessary to contact healthcare providers and access safe telemedicine services, obtain essential services, or survive in an online-only work and school environment—and *many of these Americans are eligible for telecommunications services through the Lifeline program*. At this critical time, it is vital that the Department grant TruConnect the ability to offer Lifeline service in Massachusetts so the Company can provide telemedicine solutions, enroll more eligible subscribers, and meet the life-threatening needs of many Americans.

Finally, grant of TruConnect’s Petition will serve the public interest in increasing the number of ETCs in Massachusetts. By granting ETC status to TruConnect, the Department will enable TruConnect to increase the number of Massachusetts residents receiving Lifeline support, thereby increasing the amount of USF money flowing into Massachusetts. In sum, ETC designation in Massachusetts would enable TruConnect to provide all of the public benefits cited by the FCC in its analysis in the *Virgin Mobile Order*, namely, TruConnect would provide “increased consumer choice, high-quality service offerings, and mobility,”³⁶ as well as the safety and security of effective 911 and E911 services.³⁷

B. The Benefits of Competitive Choice

The FCC has acknowledged the benefits to consumers of being able to choose from among a variety of telecommunications service providers, for more than three decades.³⁸ Designation of

³⁶ See *Virgin Mobile Order*, 24 FCC Rcd at 3395 ¶ 38.

³⁷ See *Id.* at 3391 ¶ 23.

³⁸ See, e.g., *Specialized Common Carrier Services*, 29 FCC Rcd 870 (1971).

TruConnect as an ETC will promote competition and innovation, spurring other carriers to target low-income consumers with service offerings tailored to their needs, ultimately resulting in improved services to consumers. Designation of TruConnect as an ETC will help ensure that quality services are available at “just, reasonable, and affordable rates” as envisioned in the Act.³⁹ Introducing TruConnect into the market as an additional wireless ETC provider will afford low-income Massachusetts residents a wider choice of providers and available services while creating a competitive marketplace as ETCs compete for a finite number of Lifeline-eligible customers. Increasing the competitive marketplace of providers has the potential to effectively increase the penetration rate and reduce the number of individuals not connected to the PSTN.

C. Impact on the Universal Service Fund

TruConnect’s request for designation as an ETC solely for purposes of participating in the Lifeline program would not unduly burden the USF or otherwise reduce the amount of funding available to other ETCs. With Lifeline, ETCs only receive support for customers they obtain. The amount of support available to an eligible subscriber is exactly the same whether the support is given through a company such as TruConnect or the Incumbent LEC operating in the same service area. The number of persons eligible for Lifeline support is the same the Company’s designation as an ETC; TruConnect will only increase the amount of USF Lifeline funding in situations where it obtains Lifeline customers not already enrolled in another ETC’s Lifeline program. By implementing the safeguards set forth in the *Lifeline and Link Up Reform Order* and utilizing the NLAD and National Verifier, the likelihood that TruConnect’s customers are not eligible or are receiving duplicative support either individually or within their household is greatly minimized. TruConnect’s ability to increase the Lifeline participation rate of qualified low-income individuals

³⁹ See 47 U.S.C. § 254(b)(1).

will further the goal of Congress to provide all individuals with affordable access to telecommunications service, and thus any incremental increases in Lifeline expenditures are far outweighed by the significant public interest benefits of expanding the availability of affordable wireless services to low-income consumers.

VI. CONCLUSION

Based on the foregoing, designation of TruConnect as an ETC in the Commonwealth of Massachusetts accords with the requirements of Section 214(e)(2) of the Act and is in the public interest.

WHEREFORE, TruConnect respectfully requests that the Department promptly designate TruConnect as an ETC in the Commonwealth of Massachusetts.

Respectfully submitted,

s/ Lance J.M. Steinhart

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May 20, 2020

EXHIBIT 1

Certification

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, Nathan Johnson, the Co-CEO (Co-Chief Executive Officer) of TruConnect Communications, Inc., hereby declare under penalty of perjury that the statements made in the foregoing Petition are true and correct to the best of my knowledge and belief.



Nathan Johnson, Co-CEO

EXHIBIT 2

PROPOSED LIFELINE OFFERING

TruConnect Communications, Inc. Lifeline Offering

Terms & Conditions maintained at www.truconnect.com

Plan	Minutes	Text	Data	Net Cost to Lifeline Customer
Basic Lifeline	1,000	Unlimited	3.0 GB	\$ 0.00

Plan(s) Include:

- Free SIM card
- Free unlimited international calling to Canada, Mexico, and China
- Free calls to Company Customer Service
- Free calls to 911 emergency services
- Free access to Voicemail, Caller-ID, Call Waiting, Call Forwarding, and 3-Way Calling
- Free Domestic Long Distance
- Data at 3G speeds or higher

Additional airtime available for purchase

Voice, Data, and International Talk refill options are maintained on the Company's website:
<https://www.truconnect.com/international>

EXHIBIT 3

FCC-Approved Compliance Plan

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
)

Federal-State Joint Board on)
Universal Service)

WC Docket No. 09-197

Lifeline and Link Up Reform Modernization))
)
_____)

WC Docket No. 11-42

REVISED COMPLIANCE PLAN OF TELSCAPE COMMUNICATIONS, INC.

Telscape Communications, Inc. dba Telscape Wireless ("Telscape"), by its attorneys, respectfully submits this Revised Compliance Plan ("Plan"). Telscape's original Compliance Plan was filed July 2, 2012, and an initial revised version of the plan was filed September 24, 2012.

In the *Lifeline Reform Order*,¹ the Commission adopted rules and procedures through which it instituted "blanket forbearance" from the applications of the facilities requirement to all telecommunications carriers seeking a limited ETC designation to provide wireless Lifeline services. In order to qualify for this blanket forbearance, the Commission requires carriers to comply with certain 911 requirements and file and receive approval of a compliance plan providing specific information about its service offerings and procedures to safeguard against waste, fraud and abuse.

¹ *In the Matter of Lifeline and Link Up Reform and Modernization Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-12, ¶ 172 (rel. Feb. 6, 2012) ("*Lifeline Reform Order*").

Therefore, Telscape respectfully submits this Plan in accordance with the Lifeline Reform Order and instructions set forth in the Wireline Competition Bureau *Public Notice* issued on February 29, 2012.² Telscape seeks approval of this compliance plan only for the provision of Lifeline support to provide wireless services nationwide, as the company offers wireline service as a facilities-based carrier under the approval of state commissions. This Plan sets forth Telscape's service offerings and the procedures and measures it will use to safeguard against waste, fraud and abuse. In support of this request, Telscape provides the following information:

(1) Information about the carrier and the Lifeline plans it intends to offer:

(a) names and identifiers used by the carrier, its holding company, operating company and all affiliates;

Telscape is a competitive local exchange carrier ("CLEC") based in Los Angeles, California. The company has provided traditional wireline service since 1996 and wireless service in California as a non-ETC carrier since 2007. Telscape is also a provider of broadband Internet services. Telscape's service primarily focuses on offering specialized services to meet the needs of the Spanish-speaking market, as well as low-income consumers. Telscape is also an ETC in California, having provided wireline service to low income consumers under California's state low income support program. Telscape has authority to operate as a wireless ETC from the California PUC as well.

Telscape is a Delaware corporation with offices located at 355 South Grand Avenue, Ste. 3100, Los Angeles, CA 90071. Telscape has authority to provide local exchange and interstate

² Public Notice, Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order, DA 12-314, (Rel. Feb. 29, 2012).

telecommunications services in California and seven other states.³ On October 6, 2011, the California Public Utilities Commission designated Telscape as an ETC for both wireless and wireline services in the state of California for purposes of participating in the Lifeline program. Telscape provides its wireless service under the name “Telscape Wireless” and does not offer wireless services under any other brand or company names.

Telscape is wholly-owned by TSC Acquisition Corporation (“TSC”). On July 2, 2012, TSC completed its acquisition of Sage Telecom, Inc. (“Sage”), a CLEC that provides service in numerous states including Arkansas, California, Connecticut, Illinois, Kansas, Michigan, Missouri, Ohio, Oklahoma, Nevada, Texas and Wisconsin. Sage’s service to customers in these 12 states complements, in part, Telscape’s focus on the southwestern United States. As a result of the acquisition, Telscape, through its common ownership with Sage, has gained collective access to a broader market and combined subscriber growth. The majority of Sage’s current customers are non-Lifeline customer, but Sage currently has wireline Lifeline customers in five states for which it is reimbursed through both state and federal programs, depending upon the state and the customer.⁴ In addition, through this combined ownership, Telscape has also gained access to the expertise of Sage’s managers and operations.⁵

Telscape is also affiliated with TruConnect Mobile, LLC (“TruConnect”), through partial common ownership. TruConnect is 40% owned by TSC, Telscape’s parent company as described above. TruConnect provides mobile broadband data services and does not provide any services supported by the low income program.

³ These states are Arizona, Florida, Illinois, Nevada, New York, New Jersey and Texas.

⁴ In California, Sage receives support only from the CPUC’s Low Income Programs. Sage also receives support from state programs in Kansas, Texas and Wisconsin.. Sage receives support on a federal level for service in these three states and Oklahoma.

⁵ Additional information concerning TSC ownership structure and qualifications is set forth in its application to acquire Sage Telecom, Inc. filed in WC Docket No. 12-119.

(b) detailed information demonstrating the carrier is financially and technically capable of providing the supported Lifeline services in compliance with the Commission's rules;

As a long-time provider of both wireline and wireless services in California, Telscape has a proven record of technical and financial qualifications. For example, Telscape owns and operates its own switching facilities back-office and operations support systems ("OSS"), which allows it to operate at lower costs and pass those savings on to its subscribers. Throughout the years, Telscape has invested substantial revenue to develop, integrate and maintain its systems.

As a carrier who has provided service in California for over 15 years, Telscape possesses the financial viability, as well as the expertise to continue to provide affordable and quality service to customers and has the proven experience to maintain its compliance with all applicable federal and state regulatory guidelines. Telscape derives the majority of its revenue from the telecommunications services it provides to its customers. Telscape does not and will not rely exclusively on the Universal Service Fund ("USF") disbursements to operate, but rather relies on revenues it receives from providing non-Lifeline wireline and wireless service, the payment for service by Lifeline customers,⁶ as well as high-speed Internet services. In addition, Telscape is a fully audited corporation and has not been subject to any type of enforcement action or ETC revocation proceeding by the FCC or California.

Telscape is already working with Sprint Spectrum and resells Sprint's wireless services to its non-Lifeline customers in California. As a Lifeline service provider, Telscape will continue to work with Sprint, who provides the necessary network infrastructure and wireless facilities necessary for the operation of Telscape's services as a Mobile Virtual Network Operator ("MVNO"). As the Commission is aware, Sprint is a large, nationwide carrier who provides

⁶ All of Telscape's Lifeline wireline customers currently pay a monthly fee for the discounted service.

similar service to other wireless Lifeline providers operating as MVNOs. Telscape's agreement and partnership with Sprint further demonstrates its financial and technical capability to provide these services.

(c) detailed information, including geographic locations, of the carrier's current service offerings if the carrier currently offers service;

As detailed in response to Question 1(a) above, Telscape currently provides local and interstate wireline and wireless services in California as well as broadband Internet services in that state.

(d) the terms and conditions of each Lifeline service plan offering, including rates, the number of minutes provided and additional charges, if any, for toll calls;

At this time, Telscape plans to offer the following Lifeline plans and services to customers in California and eventually similar plans nationwide. The California service plans are listed below and were approved by the CPUC as part of the ETC application process. The basic plan provides 300 minutes a month to Lifeline customers for \$2.50 a month. A similar plan is marketed to non-lifeline customers at \$15.00, but would be discounted to \$2.50 for Lifeline eligible customers (after reimbursement). All plans require a monthly payment by the customer.

Plan 1 – 300 Minutes \$2.50 a month

Call Waiting	Included
3 Way Calling	Included
Caller ID	Included
Voicemail	Included
911	Free
611 (Customer Service)	Free
Directory Assistance	\$1.50 per call

Plan 2 – 1,100 Minutes \$20.00 a month

Call Waiting	Included
3 Way Calling	Included
Caller ID	Included
Voicemail	Included
911	Free
611 (Customer Service)	Free
Directory Assistance	\$1.50 per call

Additional Minutes. For both Plans above, if the subscriber wishes to purchase additional minutes, they may do so at any time during a given month and such minutes will be available at \$0.03 per minute, with a minimum purchase of 200 minutes. For example, 200 additional minutes will cost \$6.00 and 500 additional minutes will cost \$15.00.

Text Messages. Plans above include text messaging and text messages will be assessed at a rate of 1 minute per text message sent and 1 minute per text message received. In other words, each text message is the equivalent of one minute of calling.

Other. Telscape's plans will include a free handset and the customer calling features listed above. Customers are not limited by a local calling area and may use the minutes for any type of call other than international calls. Calls to 911 are free and customers may call 911 regardless of the availability of minutes. There is a \$30.00 activation fee for Telscape wireless service.

Outside of California, Telscape will offer plans similar to the following, subject to state specific requirements or requests from state PUCs. As with California, these plans are offered to both Lifeline and non-Lifeline subscribers, with a discount applied to the Lifeline customer. Services will be offered on a prepaid basis, and potentially also on a postpaid basis, as is done in California. All services will normally have an activation fee and will likely require a monthly payment from the customer. The prices listed below show the basic, non-Lifeline price and the price to the consumer with the \$9.25 Lifeline credit applied. All plans will likely require a monthly payment by the customer. Telscape commits to providing a minimum of 250 minutes per month for the \$9.25 subsidy.

Telscape is still determining the exact plans it will offer (reiterating the condition that plans will provide a minimum of 250 minutes for the \$9.25 subsidy), but a sample plan would be as follows:

ValuMobile Plus Price: \$24.25 per month/Lifeline Price: \$15.00

Features	Cost
500 minutes Voice/Text	Included
Call Waiting	Included
3 Way Calling	Included
Caller ID	Included
VoiceMail	Included
911	Free
611 (Customer Service)	Free
Directory Assistance	\$1.50

Activation Fee: \$25.00

Additional Minutes: For all service plans the customer can purchase additional voice, data, MMS, text minutes for \$0.05 per minute with a minimum purchase of \$5.00. For example, 100 additional minutes will cost \$5.00. The customer will have the ability to purchase 100 minutes (\$5.00); 200 minutes (\$10.00); 300 minutes (\$15.00) and 500 minutes (\$25.00). For Unlimited service plans the customer will not need additional voice or text but will need to purchase additional minutes for data and MMS. MMS is priced at \$0.15 per minute and Data is \$0.05 per MB.

Text Messages: The service plans include text messaging; text messaging rates are assessed at 1 minute per text message sent and 1 minute per text message received.

Other: Plans do not permit rollover minutes. Top Ups are available for a 30 day period as long as the customer renews the service at the normal plan rate. Plans do not allow roaming. The \$25.00 Activation Fee includes selection of a basic handset which is activated and provided ready for use. Customers are allowed to call internationally but will be assessed the international rates. International text rates are \$0.20 per minute for messages sent or received. Special Promotional offer: 10 MB data FREE for 3 months with the selection of a data capable phone. .

(e) all other certifications required under newly amended section 54.202 of the Commission's rules.

Section 54.202 requires ETCs to (1) certify that it will comply with the applicable service requirements; (2) file a five-year plan detailing proposed improvements or upgrades in the

network unless the ETC is receiving only Lifeline support; (3) demonstrate that it will continue to function in emergency situations including reasonable back-up backup power and emergency traffic management; (4) demonstrate that the carrier will comply with applicable consumer protection and service quality standards; (5) demonstrate that it is financially and technical qualified to provide Lifeline services that comply with the applicable rules; and (6) provide information concerning the terms and conditions of the service plans offered to Lifeline customers.

In response to item (1), Telscape certifies that it will comply with applicable service requirements and regulations for Lifeline support.

In response to item (2), Telscape is not required to submit a five year plan since it is seeking to obtain only Lifeline support for its eligible customers.

In response to item (3), as a CLEC provider in California for over 15 years, Telscape has significant experience with emergency preparedness. Telscape has detailed Emergency Action and Disaster Recovery Plans in place to respond to emergencies.. In addition, Telscape's agreement with Sprint provides for the continuation of services during emergencies and sets forth obligations for the service to remain functioning during disasters and similar emergency situations. In addition, as a nationwide carrier and provider of wireless service, Sprint also remains subject to the Commission's authority and must, and does, comply with federal outage reporting requirements.

In response to item (4), Telscape certifies that it will comply with the applicable consumer protection and service quality standards. As a CLEC operating in California, Telscape is already subject to that state's consumer protection and service quality requirements. Telscape's Lifeline customers will also receive the same quality service and protections.

Telscape's response to items (5) and (6) are provided above and in the provided exhibits

(2) A detailed explanation of how the carrier will comply with the Commission's new rules relating to determinations of subscriber eligibility for Lifeline services, including all consumer eligibility, consumer enrollment and re-certification procedures as required by Section VI and Appendix C of the Lifeline Reform Order, and a copy of the carrier's certification form;

Under the *Lifeline Reform Order*, ETCs must comply with eligibility rules for Lifeline services, including initial eligibility, certification, and annual re-certification procedures. In addition to the Commission's rules, Telscape must also comply with all certification and verification requirements for Lifeline eligibility established by states where Telscape is designated as an ETC. For states that do not have a Lifeline administrator or state agency responsible for determining eligibility and initial certifications and annual certifications, Telscape certifies it will comply with the Commission's certification and verification requirements and will follow the procedures outlined below until such time as the Commission implements its planned National Lifeline Accountability Database.

Procedures for Initial Eligibility Determination and Certification of Lifeline Subscribers.

With respect to determining eligibility certification procedures, the rules provide that an ETC must determine a Lifeline applicant's eligibility and provide and receive certification forms with proper documentation from Lifeline subscribers, except where there is a state Lifeline administrator or a state agency responsible for eligibility verification.

In states where there is a third party entity acting as the Lifeline administrator (also referred to as the "Certifying Agent" in California) who is responsible for determining the eligibility of consumers seeking to subscribe to Lifeline service, sending out certification forms, reviewing documentation and providing ETCs with the appropriate approval of a potential

subscriber's eligibility for Lifeline, Telscape will comply with the program rules established in those states and will cooperate fully with any state Lifeline administrator.

Based on Telscape's history of providing Lifeline and non-Lifeline customers in wireline products, Telscape's primary source of signing up Lifeline customers will be via telephone, although some customers (entirely in California at this point) will be signed up in person at the retail locations staffed by Telscape employees. Visitors to Telscape's website will be given information about the program but are required to contact Telscape directly via telephone to complete the sign-up process. These callers speak to Telscape employees who are specially trained on the Lifeline programs. Telscape's customer services representatives will review income- and program-based requirements with applicants via telephone contact or point of sale contact at one of Telscape's retail locations.⁷ During the initial sign up for service, Telscape will (a) require the applicant to confirm that he or she is not already receiving a Lifeline service and that no one else in the applicant's household is subscribed to a Lifeline service in order to avoid providing duplicate services; and (b) inform the applicant of both the income- and program-based eligibility requirements to determine initial eligibility and any state-specific requirements.

Customers are offered the choice to either sign up for service as a non-Lifeline customer pending confirmation of eligibility, or to have their application for service held pending confirmation of eligibility. In the event the customer chooses to proceed, they are processed as a new non-Lifeline customer and the verification process continues as described below. If, after the verification process is completed, the customer is deemed eligible, they are credited with the

⁷ For example, Telscape has retail store locations called "Telemercados" throughout its service areas in the Los Angeles and San Diego, California areas to provide its subscribers the opportunity to walk in and deal with a Telscape representative directly, as well as over 380 authorized payment locations throughout all of Southern California.

Lifeline discount back to the date service was initiated. If the customer is eventually deemed ineligible, they receive no credit. Where the customer chooses to wait for confirmation of eligibility before starting service, the employee will take down the relevant information from the consumer, including payment information, but the order is then held pending verification of eligibility. Only if the customer is determined to be eligible is the order processed.

The Verification process varies by state, in states with a Lifeline administrator, if a new applicant indicates that he or she is eligible for Lifeline service, Telscape will provide the applicant's relevant information to the administrator in conformance with any state or Lifeline administrator specific rules. The Lifeline administrator will provide the requisite forms and will be responsible for processing those forms when returned and ensuring the documentation is satisfactory as set forth in state regulations. Telscape will not provide Lifeline service or seek reimbursement for providing services to such applicant until it receives a certification of eligibility from the Lifeline administrator.

In states where there is no Lifeline administrator or state agency responsible for determining initial eligibility and certifying Lifeline applicants, Telscape will require all applicants to demonstrate either: (1) the applicant's household income is at or below 135% of the Federal Poverty Guidelines based on the income-eligibility criteria set forth in Sections 54.409(a)(1) or (a)(3) or (2) the applicant participates in Medicaid, Food Stamps, Supplemental Security Income, Federal Public Housing Assistance, Low-Income Home Energy Assistance Program, National School Lunch Program or Temporary Assistance for Needy Families. As required to prevent suspected duplications, Telscape will also require the customer to complete the Lifeline Household Worksheet issued by USAC to ensure that duplicate support is not provided to any household. Telscape will inform the applicant that any information provided

will be submitted to USAC as necessary under the Commission's rules to verify the household is not receiving duplicate Lifeline support.

After confirming initial eligibility either in person or over the phone, Telscape will provide the individual with an application via mail requiring him or her to provide certain information and certify that they meet either the income-based eligibility requirements or the program-based requirements, make certain certifications and submit documentation. Specifically, Telscape's Lifeline application form will collect the following information from the potential Lifeline customers: (i) the subscriber's full name; (ii) the subscriber's full residential street address (P.O. Boxes will not be acceptable); (iii) whether the residential address is permanent or temporary; (iv) the subscriber's billing address, if different; (v) the subscriber's date of birth; (vi) the last four digits of the subscriber's Social Security number (or Tribal identification number if the subscriber is a member of a Tribal nation and does not have a Social Security number); (vii) if the subscriber is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the subscriber, or his or her dependents, or his or her household receives benefits; and (viii) if the subscriber is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.

In addition, as part of the Lifeline application, Telscape will require all Lifeline applicants to certify, under penalty of perjury, that:

- the applicant meets the income-based or program-based eligibility criteria for receiving Lifeline either because the household receives benefits from a state or federal assistance program (and list the name of the program) or has income at or below 135% of the Federal Poverty Guidelines;
- the applicant has provided documentation to Telscape that correctly and accurately confirms the subscriber's household income or participation in the above-listed

program(s);

- the applicant will notify its carrier within thirty (30) days if, for any reason, he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the applicant is receiving more than one Lifeline benefit, or another member of the subscriber's household is receiving a Lifeline benefit. The applicant will also certify that they understand this requirement and may be subject to penalties if they fail to notify Telscape;
- if the applicant moves to a new address, he or she will provide that new address to the eligible telecommunications carrier within thirty (30) days;
- if the applicant provided a temporary residential address to the eligible telecommunications carrier, he or she will be required to verify his or her temporary residential address every ninety (90) days;
- the applicant acknowledges that the subscriber will be required to re-certify his or her continued eligibility for Lifeline at any time, and the applicant's failure to re-certify as to his or her continued eligibility will result in de-enrollment and the termination of the applicant's Lifeline benefits;
- the applicant's household will receive only one Lifeline service and, to the best of his or her knowledge, the subscriber's household is not already receiving a Lifeline service;
- the information contained in the applicant's certification form is true and correct to the best of his or her knowledge, that providing false or fraudulent documentation or information in order to receive assistance is punishable by fines, imprisonment, de-enrollment or being barred from the program;
- That a violation of the one-per-household rule constitutes a violation of FCC rules and will result in their de-enrollment from the Lifeline program
- the applicant understands that Lifeline is a non-transferable benefit and the service may not be transfers to anyone else; and
- the applicant understands their information, including name, telephone number and address, will be given to the Universal Service Administrative Company (USAC) and/or its agents for the purpose of verifying the applicant and the applicant's household do not receive more than one Lifeline benefit and consenting to the inclusion of that information into a Lifeline database.

A sample Telscape application is attached hereto as Exhibit A.

This application is mailed by Telscape to the customer for completion and is returned to Telscape for review and certification. All applications are reviewed by Telscape employees or

by employees of their affiliate Sage. Should Telscape engage sales agents to assist in signing up customers, those applications will also be reviewed by employees to ensure the applicant's eligibility.⁸ This review includes a review to determine eligibility as well as a duplicate review process described below. Telscape will make itself available as a direct point of contact with all Lifeline applicants, either in person through its employees, or by telephone. In addition, all Telscape employees who have contact with potential Lifeline customers will be fully trained on the state and Commission Lifeline eligibility rules.

If Telscape cannot determine a prospective subscriber's eligibility through a review of an appropriate federal or state database, Telscape personnel will require the submission of appropriate documentation required to establish income-based and program-based eligibility and will review each subscriber's documentation for compliance with the eligibility criteria. If documentation is not sufficient or if the application is incomplete, then Telscape will deny the application and inform the applicant of the reason for such rejection. For applicants submitting proof of income-eligibility or program-based eligibility, Telscape will not retain copies of such documentation but will maintain accurate records detailing how the customer demonstrated his or her eligibility.⁹ In addition, if the subscriber provides Telscape with a temporary address, it will verify with the subscriber every 90 days that this address remains valid. If the subscriber fails to respond to the Telscape within 30 days, the subscriber will be de-enrolled from the Lifeline program.

Procedures for Annual Re-Certification. Similar to the initial certification process, an ETC must annually certify all subscribers, unless there is a Lifeline administrator that is

⁸ In states with a Lifeline Administrator, this process would be handled pursuant to the procedures of the Administrator.

⁹ 47 C.F.R. §§ 54.410(b)(1)(ii)-(iii) and 54.410(c)(1)(ii)-(iii).

responsible for re-certification. In states where a Lifeline administrator is responsible for completing annual re-certifications, Telscape will rely on such administrator completing the annual certification. If the Lifeline administrator provides notice to Telscape that a current subscriber did not re-certify, then Telscape will comply with the de-enrollment requirements required by the FCC's rules. Telscape will cooperate fully with any Lifeline administrator and take any necessary steps to ensure it is in compliance with both state and federal re-certification procedures.

In states where there is not a Lifeline administrator, Telscape will require its Lifeline subscriber to annually re-certify their eligibility as set forth in Rules 54.410(f)(2) and (f)(5) and 54.405(e)(4). Telscape may complete the re-certification process on a rolling basis throughout the year. If Telscape cannot determine on-going eligibility by accessing a qualifying database, Telscape will re-certify the continued eligibility of its subscribers by contacting them in person, in writing (by mail), by phone, by text message, by email or otherwise through the Internet.¹⁰ Alternatively, beginning in 2013, Telscape may elect to have the USAC administer the annual self-certification process.¹¹

As part of the re-certification process, Telscape will inform its Lifeline subscribers that they must confirm eligibility to retain Lifeline benefits, when Lifeline benefits will be terminated if confirmation of eligibility is not provided and how to contact Telscape for more information or assistance. If a Lifeline subscriber does not respond to the notice within 30 days, Telscape will

¹⁰ *Lifeline Reform Order*, ¶ 130.

¹¹ *Id.*, ¶ 133.

send a notice of impending termination. Subscribers who do not respond to the impending termination notice will be de-enrolled from the Lifeline program within five business days.¹²

(3) A detailed explanation of how the carrier will comply with the forbearance conditions relating to public safety and 911/E-911 access;

The Commission conditioned its grant of forbearance on an ETC (a) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; (b) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.¹³ Telscape's wireless service currently complies with these requirements and will continue to comply with these conditions.

Specifically, Telscape provides its wireless subscribers with 911/E911 access at the time their service is initiated, regardless of activation status and availability of minutes and provides its subscribers with E911-compliant handsets. It is the company's practice to provide access to 911/E911 to the extent these services are available from the underlying carrier, Sprint. Telscape also enables 911 emergency calling from all properly activated handsets regardless of whether the account associated with the handset is active, suspended to terminated. Telscape will transmit all 911 calls initiated from any of its handsets even if the associated account has no remaining minutes.

In addition, all phones provided by Telscape are 911/E911 compliant. Telscape uses phones from Sprint that, based on representations made to Telscape by Sprint, have been through the applicable certification process in the company's labs. In the event that a customer does not have an E911-complaint handset, Telscape will replace it with a compliant handset at no charge.

¹² 47 C.F.R. § 54.405(e)(4).

¹³ *Lifeline Reform Order*, ¶ 373.

All new customers who qualify for Lifeline services with Telscape will receive a 911/E911-compliant handset free of charge.

(4) A detailed explanation of how the carrier will comply with the Commission's marketing and disclosure requirements for participation in the Lifeline program;

Telscape has experience in providing clear, concise and consistent marketing and disclosure information to its wireline Lifeline to its customers. Given the make-up of its customer base, primarily limited English speaking consumers, some of whom are of lower income, Telscape strives to use language that is easily understandable so as to avoid customer confusion. With respect to its wireless services, Telscape will emphasize in clear, easily understood language: (a) that the service is a Lifeline-supported service; (b) that only eligible consumers may enroll in the program; (c) what documentation is necessary for enrollment; and (d) that the benefit is limited to one per household consisting of either wireline or wireless service and is non-transferrable. Telscape will also explain that Lifeline is a government benefit program and willfully making false statements to obtain Lifeline benefits may be punished by fine or imprisonment or result in being barred from the program. Telscape has and will continue to clearly disclose its name (Telscape or Telscape Wireless) on all marketing materials. A sample advertisement that was approved for use in California by the California PUC is attached hereto as Exhibit B. Marketing outside of California will contain similar disclosures.

(5) A detailed explanation of the carrier's procedures and efforts to prevent waste, fraud and abuse in connection with Lifeline funds, including but not limited to, procedures the carrier has in place to prevent duplicate Lifeline subsidies within its own subscriber base, procedures the carrier undertakes to de-enroll subscribers receiving more than one Lifeline subsidy per household, information regarding the carrier's toll limitation service, if applicable, and the carrier's non-usage policy, if applicable.

Telscape fully understand and shares the Commission's commitment to minimize waste, fraud and abuse with respect to the Lifeline program. This is part of the reason that Telscape has

focused on providing excellent service for low-income customers, many of whom speak only Spanish. Moreover, Telscape has taken a focused approach and offering service initially only in California, as compared to launching services into several states or on a nationwide basis. This approach has allowed Telscape to refine its business practices and to implement policies consistent with the Commission's goal of minimizing waste, fraud and abuse before launching its service nationwide at some time in the future.

Prevention of Duplicates In Telscape's Subscriber Base. At time of initial sign up of a new subscriber, the subscriber's service address is validated for accuracy against the USPS ("United States Postal Service") database and saved in the USPS-approved format, which permits the Telscape subscriber database to more accurately prevent duplicates by preventing variations of the same address from appearing multiple times in the database. Once the address is validated for accuracy and format, Telscape can check it in available databases or provide it to the Lifeline administrator, where applicable, to be checked against addresses for all Lifeline customer addresses for the entire state. For example, if an existing Lifeline subscriber, regardless of the carrier providing service, is receiving service at the same address, Telscape understands that the California Lifeline administrator will provide Telscape with a denial and that Lifeline applicant will be denied. Telscape further understands, for example purposes, that the California Lifeline administrator also has a process to check its database for the same subscriber name, date of birth and the last four digits of the person's social security number.

In addition, while it is anticipated that Telscape and its affiliate, Sage will only operate in different states, to the extent that they have Lifeline customers in the same state, customers can be checked against each company's records to further avoid duplication.

Activation and Non-Usage Policy. In California, Telscape does not consider a wireless subscriber activated until the customer has chosen a *non-Lifeline* service plan, activates their service by paying the activation fee, and then applies for and is approved for a Lifeline service plan. Adhering to this “prequalification guideline” prevents waste, fraud and abuse by requiring customers to first sign up for service at regular rates and then only provide discounted service once the customer’s eligibility has been confirmed and approved by the Lifeline administrator. As such, Telscape will not seek reimbursement for any wireless subscriber until the subscriber activates service and is approved by the Lifeline administrator or by Telscape, in states without a third party Lifeline administrator. Customers who wish to be confirmed as an eligible Lifeline subscriber prior to commencing service can place a non-Lifeline order and have the order held pending verification of eligibility as described above. Because customers do not receive their handset and service until they have an order processed and the activation fee is paid, customers receive activated handsets. Thus, there is no possibility of Telscape receiving reimbursement for a customer who does not have an active handset. After the order is processed, Telscape personnel activate, configure and test the handsets before they are sent to the consumer. Thus all customers receive an activated handset.

As required by the *Lifeline Reform Order*, Telscape has implemented a non-usage policy under which it will de-enroll Lifeline customers that have not used the Telscape’s Lifeline service for 60 consecutive days. When consumers sign-up for Telscape’s service, Telscape will inform them about the usage requirement. If a Telscape Lifeline customer’s account does not reflect any usage during any consecutive 60-day period, Telscape will deactivate the customer’s Lifeline service. Accounts will be deemed active if the Lifeline subscriber: (a) completes an outbound call; (b) purchases minutes or an additional month of service to add to the subscriber's

Lifeline service plan; (c) answers an incoming call from a party other than Telscape, its agent or representative; or (d) responds to a direct contact from Telscape and confirms that he or she wants to continue receiving the Lifeline service.¹⁴

For Lifeline subscribers failing to use their Lifeline service for a 60-day consecutive period as described above, Telscape will provide a clear, easily understood notice that the subscriber's failure to use the Lifeline service within the 30-day notice period will result in service termination for non-usage. Telscape will not terminate service to Lifeline subscribers that use their Lifeline service within 30 days of Telscape providing said notice.¹⁵

Cooperate with Federal and State Regulators and Lifeline Administrators. Telscape will cooperate with the Commission and has and will continue to cooperate with state regulators and Lifeline administrators to prevent waste, fraud and abuse. Telscape will, for example:

- As applicable, participate in industry working groups conducted by or in coordination with state commissions and Lifeline administrators;
- Respond to requests from the Commission, USAC or state commissions concerning consumers' eligibility to be enrolled in Lifeline service, among other matters;
- Upon having a reasonable basis and/or upon any notification from federal or state commissions and/or Lifeline administrators, timely investigate issues concerning a Telscape Lifeline customer receiving service from another carrier or customers receiving more than one Lifeline subsidy per household;
- As applicable and when available, access the National Lifeline Accountability Database to determine if an applicant is currently receiving Lifeline service from another carrier or if another person residing at the applicant's residential address is receiving Lifeline service; and
- Comply with federal and state audit requirements.

¹⁴ See *Lifeline Reform Order*, ¶ 261; 47 C.F.R. § 54.407(c)(2).

¹⁵ 47 C.F.R. § 54.405(e)(3).

CONCLUSION

Telscape respectfully submits that the foregoing Compliance Plan fully satisfies the conditions set forth in the *Lifeline Reform Order*. Accordingly, Telscape respectfully requests approval of this Compliance Plan so that Telscape can provide essential Lifeline wireless service to eligible low-income customers nationwide.

Respectfully submitted,

/s/ electronically signed

Douglas D. Orvis II
Kimberly A. Lacey
Bingham McCutchen LLP
2020 K Street, N.W.
Washington, DC 20006

Date: December 19, 2012

EXHIBIT 4

Coverage Area

TruConnect – Current Zip Code Coverage in Massachusetts

01001	01071	01199	01367	01521	01608
01002	01072	01201	01368	01522	01609
01003	01073	01202	01370	01523	01610
01004	01074	01203	01373	01524	01611
01005	01075	01220	01375	01525	01612
01007	01077	01223	01376	01526	01613
01008	01079	01224	01378	01527	01614
01009	01080	01225	01379	01529	01615
01010	01081	01226	01380	01531	01653
01011	01082	01227	01420	01532	01655
01012	01083	01235	01430	01534	01701
01013	01085	01237	01431	01535	01702
01014	01086	01238	01432	01536	01703
01020	01088	01240	01434	01537	01704
01021	01089	01242	01436	01538	01705
01022	01090	01243	01438	01540	01718
01026	01092	01247	01440	01541	01719
01027	01093	01254	01441	01542	01720
01028	01094	01256	01450	01543	01721
01030	01095	01266	01451	01545	01730
01031	01096	01267	01452	01546	01731
01033	01097	01270	01453	01550	01740
01034	01098	01301	01460	01560	01741
01035	01101	01302	01462	01561	01742
01036	01102	01330	01464	01562	01745
01037	01103	01331	01467	01564	01746
01038	01104	01337	01468	01566	01747
01039	01105	01338	01469	01568	01748
01040	01106	01339	01473	01569	01749
01041	01107	01340	01474	01570	01752
01050	01108	01341	01475	01571	01754
01053	01109	01342	01501	01581	01756
01054	01111	01343	01503	01583	01757
01056	01115	01344	01505	01585	01760
01057	01116	01346	01506	01586	01770
01059	01118	01347	01507	01588	01772
01060	01119	01349	01508	01590	01773
01061	01128	01350	01509	01601	01775
01062	01129	01351	01510	01602	01776
01063	01138	01354	01515	01603	01778
01066	01139	01355	01516	01604	01784
01068	01144	01360	01518	01605	01801
01069	01151	01364	01519	01606	01803
01070	01152	01366	01520	01607	01805

TruConnect – Current Zip Code Coverage in Massachusetts

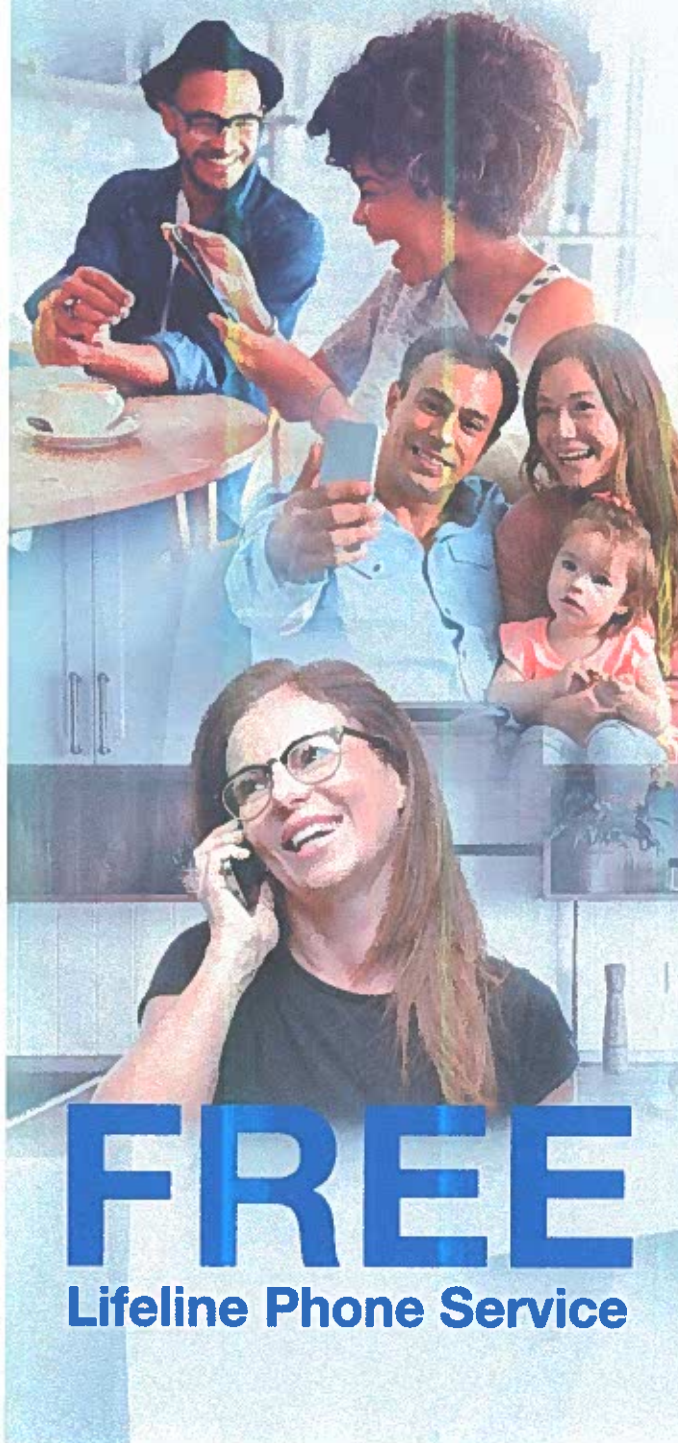
01810	01903	02041	02126	02201	02349
01812	01904	02043	02127	02203	02350
01813	01905	02044	02128	02204	02351
01815	01906	02045	02129	02205	02355
01821	01907	02047	02130	02206	02356
01822	01908	02048	02131	02210	02357
01824	01910	02050	02132	02211	02358
01826	01913	02051	02133	02212	02359
01830	01915	02052	02134	02215	02360
01831	01921	02053	02135	02217	02361
01832	01922	02054	02136	02222	02362
01833	01923	02055	02137	02238	02364
01834	01929	02056	02138	02241	02366
01835	01930	02059	02139	02266	02367
01840	01936	02060	02140	02269	02368
01841	01937	02061	02141	02283	02370
01842	01938	02062	02142	02284	02375
01843	01940	02065	02143	02293	02379
01844	01944	02066	02144	02297	02381
01845	01945	02067	02145	02298	02382
01850	01949	02070	02148	02301	02420
01851	01951	02071	02149	02302	02421
01852	01960	02072	02150	02303	02445
01853	01961	02081	02151	02304	02446
01854	01965	02090	02152	02305	02447
01860	01969	02093	02153	02322	02451
01862	01970	02108	02155	02324	02452
01863	01971	02109	02156	02325	02453
01864	01982	02110	02163	02327	02454
01865	01983	02111	02169	02330	02455
01866	01984	02112	02170	02331	02456
01867	01985	02113	02171	02332	02457
01876	02018	02114	02176	02333	02458
01879	02019	02115	02180	02334	02459
01880	02020	02116	02184	02337	02460
01885	02021	02117	02185	02338	02461
01886	02025	02118	02186	02339	02462
01887	02026	02119	02187	02341	02464
01888	02027	02120	02188	02343	02465
01889	02030	02121	02189	02344	02466
01890	02032	02122	02190	02345	02467
01899	02035	02123	02191	02346	02468
01901	02038	02124	02196	02347	02471
01902	02040	02125	02199	02348	02472

TruConnect – Current Zip Code Coverage in Massachusetts

02474	02542	02634	02657	02714	02745
02475	02543	02635	02659	02715	02746
02476	02554	02637	02660	02717	02747
02477	02556	02638	02661	02718	02748
02478	02558	02639	02662	02719	02760
02479	02559	02641	02663	02720	02761
02481	02561	02642	02664	02721	02762
02482	02562	02643	02666	02722	02763
02492	02563	02644	02667	02723	02764
02493	02564	02645	02668	02724	02766
02494	02571	02646	02669	02725	02767
02495	02574	02647	02670	02726	02768
02532	02576	02648	02671	02738	02770
02534	02584	02649	02672	02739	02777
02536	02601	02650	02673	02740	02779
02537	02630	02651	02675	02741	02780
02538	02631	02652	02702	02742	02790
02540	02632	02653	02703	02743	02791
02541	02633	02655	02712	02744	

EXHIBIT 5

Sample Advertisement



FREE
Lifeline Phone Service

Free Lifeline Phone Service

Monthly Talk, Text, & Data



Bring The Phone You Love

**1,000 Minutes
Unlimited Text + 3 GB**



**All Plans Include:
Unlimited Calling to Mexico,
China, Korea, Vietnam, & Canada**

Sign Up Today!

Visit us at truconnect.com

Call us at **800.430.0443**

Follow us for Updates & Specials



@TruConnect



@TruConnect



@TruConnect_LA

Lifeline Program

What is the Lifeline Program?

This is a Lifeline service brought to you by TruConnect. Lifeline is a government assistance program. The service is non-transferable and only eligible consumers may enroll. Only one Lifeline service is allowed per household. TruConnect provides free Unlimited Text, 1,000 Minutes, + 3 GB of data to qualified low-income customers. If you qualify, you will also have unlimited access to 911 and customer service. To keep your service active, you must use it at least once every 30 days.

How Do I Qualify?

You may qualify for the Lifeline program if you, a dependent, or your household is enrolled in certain government programs or if your household income is at or below certain income limits. Apply in person with an Authorized Dealer, online, or by calling customer service. All of TruConnect's Lifeline Plans have the following features:

- Free customer service calls
- Free voicemail, caller ID, and call waiting
- Free 911 and balance inquiry calls

Documents Required to Apply

- Government-Issued Picture ID (Full name, DOB, not expired)
- Proof of Eligibility (Program card, participation letter, or income proof)
- Proof of Address (May be required)
- Social Security Number (Last 4 digits)

For Additional Information Contact

TruConnect Customer Service:
800.430.0443 or visit www.truconnect.com/lifeline

Lifeline Program:
866.272.0357 or visit www.lifelinesupport.org

Lifeline Eligibility

Method 1 Program-Based Eligibility

You may qualify for the Lifeline discount if you or another member of your household is currently enrolled in any one of the following public assistance programs:

- Supplemental Nutrition Assistance Program (SNAP/Food Stamps/Food Assistance)
- Medicaid (not Medicare)
- Supplemental Security Income (SSI)*
- Federal Public Housing Assistance (FPHA)
- Veterans Pension or Survivors Pension Benefit

*Social Security benefits and/or Social Security Disability benefits are not program-based eligibility qualifiers. Social Security and/or Social Security Disability income may only be used to qualify for Lifeline Program participation under the income-based eligibility method.

Method 2 Income-Based Eligibility

You may also qualify for Lifeline if your household income is at or less than the following annual income limits:

Household Size	Annual Income Limits	Hawaii Resident
1	\$17,226	\$19,818
2	\$23,274	\$26,771
3	\$29,322	\$33,723
4	\$35,370	\$40,676
5	\$41,418	\$47,628
6	\$47,466	\$54,581
7	\$53,514	\$61,533
8	\$59,582	\$68,486
Each Addtl Member	Add \$6,048	Add \$6,952

(Effective 1/1/20-12/31/20)

EXHIBIT 6

Key Management Bios

TruConnect Communications, Inc.
Executive Bios

Nathan R. Johnson, Co-Chief Executive Officer

Nathan Johnson is Executive Chairman of the Board and an investor in TruConnect Communications, Inc., where he oversees the strategic vision and effective governance of the organization. Mr. Johnson is also a Managing Partner of Gemini Partners, a middle-market investment bank, where he has financed, sold, and advised several small- and middle-market telecommunications companies including Telemac, Distributive Networks, and Pulse Entertainment, among others. Prior to Gemini Partners, Mr. Johnson served as Vice President in investment banking at Deutsche Bank, where he advised several Latin American companies including Telefonos de Peru and a Venezuelan phone company in their efforts to take the companies private. Mr. Johnson received his MBA from the Wharton School at the University of Pennsylvania with a concentration in Finance and Multinational Management. He also received his MA from the University of Pennsylvania with concentrations in Latin America and Spanish.

Matthew H. Johnson, Co-Chief Executive Officer

Matthew Johnson is Managing Partner of Gemini Partners and a Board Member and investor of TruConnect Communications, Inc. At Gemini Partners, a middle-market investment bank, Mr. Johnson has financed, sold, and advised several small- and middle-market telecommunications companies including Telemac, Distributive Networks, and Pulse Entertainment, among others. Previously, Mr. Johnson served as Vice President in investment banking at Credit Suisse First Boston where he financed numerous telecommunications companies specifically located in Latin America, including Bestel Communications, a company that operated fiber loops stretching from the U.S. to Mexico, and Globopar, a telecommunications and media conglomerate based in Brazil. Mr. Johnson holds an MBA from Northwestern University's Kellogg School of Management.

Jeffrey Misthal, Chief Financial Officer

Mr. Misthal is the Chief Financial Officer responsible for all accounting and finance functions for the company. He has 20 years of finance experience working with technology companies, including Leaf Group and Yahoo, and as an investment banker for GCA Savvian and JPMorgan where he was an advisor for technology companies responsible for mergers and acquisitions and arranging financing for his clients. Mr. Misthal holds a BS in Economics from the Wharton School at the University of Pennsylvania and an MBA from UCLA Anderson.

Lucy Sung, General Manager, Global Operations

Ms. Sung is the General Manager of Global Operations and leads the Legal, Compliance, Customer Care, Sales Operations, Human Resources, and Billing Operations teams. She has over 30 years of experience in the wireless carrier industry, and has 15 years of experience managing the operations and expansion of wireless ETCs. She has held senior management positions in companies that include AT&T, among others. Ms. Sung holds a Bachelor of Science Degree in Business Administration.

Aleksandr Gudkov, Chief Technology Officer

Mr. Gudkov is the Chief Technology Officer and leads all Business Intelligence, data warehouse, and technology related initiatives. Mr. Gudkov has over 18 years of experience in information technology supporting private, state and local governments. He has managed several large-scale integration and migration initiatives for the California Lifeline program, CEL child care eligibility system, and Arizona APS energy income eligibility program. Mr. Gudkov holds a Master of Science degree in Nuclear Engineering from National Research Nuclear University, Moscow Russia.

Danielle Perry, Chief Information Officer

Danielle Perry is the Chief Information Officer and is responsible for leading all technology related aspects of the business; from software development to data analytics. Ms. Perry has over 20 years of experience in the telecommunications field, with 8 of those years being focused on Lifeline. In her previous position she was the Chief Information Officer at Blue Jay Wireless.